
From: Waye, Don
To: Sweeney, Stephen; Hall, Lynda
CC: Carlin, Jayne; Henning, Alan; Wu, Jennifer; Psyk, Christine
Sent: 12/12/2014 12:06:11 PM
Subject: OR CZARA - Ag MMs approved on INTERIM basis
Attachments: Ag Management Briefing_081914.docx; CZARA agriculture letter 5 2012.pdf

This is just a follow-up note regarding Oregon's Ag MMs, as there was some question in yesterday's briefing concerning whether OR's Ag MMs received interim approval or were approved in final form in our 1998 findings document. We gave them notice in 2004 that Oregon's Ag MMs would receive interim approval, subject to public comment, once the South Coast AWQMAP was finalized. It was finalized in 2007, at which point we sent an informal note to Oregon that they had received interim approval for Ag. (Note – I don't have the FINAL version of the 2004 letter to Oregon, just some drafts. I don't believe I have the 2007 note to Oregon, either. But evidently others do.)

Attached is Nina Bell's lengthy letter from 2012 (2-3 years after NWEA's lawsuit on CZARA and our subsequent settlement) on OR's Ag MMs – where she repeatedly refers to our interim approval, including in the opening paragraph. She then launches into an exhaustively detailed blow-by-blow history of how they became approved by NOAA and EPA on an interim basis, and how she believes OR's approach is deficient.

Also attached is a briefing paper from this summer that Alan Henning put together to summarize the situation with regard to this interim approval, including all the public comments we received on it earlier this year.

Don Waye
U.S. EPA - Nonpoint Source Control Branch
Phone: 202-566-1170